To be permanently preserved

G. R. S. IX-5]

*Previous references.*

File No. 7

1920.

Serial Nos.

( Courts )

*Later references.*

1. 1105-32(1-2)

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 1100.

**Part B for** October 1

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SUBJECT.

Procedure to be adopted for ge
originals to telegrams for produc
the Courts of the State.

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Sl 2)

To Registrar, Chief Cour
District Magistrates of
No. G. 7455 - 63 94

Forwards copy of letter No. 770
from the F. A. Resident in Mysore
the procedure to be observed whe
original of a telegram is re
be produced before the State Cri
Courts.

WD 2253—GPB—20,000—14-6-20

G. R. S. III—1] 1920. 3943.

GENERAL AND REVENUE SECRETARIAT.

( Courts )

NOTES.

File No. 79. 20

FILE HEADING.

Procedure to be adopted for getting the originals of Telegrams for production in the Courts of the State.

From

The A. A Resident in Mysore.

No. 7763. Dated 4th Sept 1920 Received on 6. 9. 20.

| Diary No. 3943 | Enclos. — Spare Copies. — | Serial No. 1 |
|---|---|---|

BRIEF ABSTRACT OF LETTER.

States that though a District Court cannot summon the original of a Telegram under S. 95 of the Cr. Pro. Code, which only authorises its production in trials held under the Code & not by State Courts, there is no legal objection to a District Court which desires its production obtaining it by issuing a Commission to a

NOTES AND ORDERS.

Civil Court in Calcutta under S. 21 of the Indian Extradition Act, 1903 (XV of 1903) and requests that the procedure suggested may be adopted in future

Submitted for orders

Sd/ 6/9/20.

Sent for perusal. If approved Copies will be sent & are in Dft under for information to the Government also. Dft. 8/9

NOTES—First Sheet. 7/9

1729 9.9.20

III Member

9/9

10/9

3943 (2

G. R. S. III-2,

General and Revenue Secretariat. | Chr File No. 79 of 1920

Serial No.

Please send copies accordingly
D. M.
12/9

Subd with a draft for approval.

14.9.20.

Subd. with a draft in the memo form

Letter form seems better, and
17.9.20. hence a draft letter to (1) the Regr, Chct
(2) the Dt Magte, q/Dts to put up.

28/9

D. M.
28/9

To

2 The Registrar, Chief Court & the District Magistrates of Districts.

No. G. 7455-63. dy 4-10-20.

For a Copy of Resident's letter for information.

OHIEF
PROTEC 3.
25 OCT 1920

NOTE—Contn. sheet.

Fol 384
SEP 1920
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No. 7763 R. O. 2.—R. P. B.—2—1902.—5000.
79
6 SEP 1920

FROM

MAJOR C. T. C. PLOWDEN, I. A.,
FIRST ASSISTANT TO THE RESIDENT IN MYSOR_.

TO

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 4th Septr. 1920.

SIR,

I am directed to address you regarding the procedure to be observed when the original of a telegram is required to be produced before the State Criminal Court to be used as evidence in a Criminal Case. Under the law as it stands, Indian State Courts cannot summon an original telegram from the custody of the authorities of a Government telegraph office whether in British India or in State territory.

2. Though a Durbar Court cannot summon the original of a telegram under Section 95 of the Criminal Procedure Code, which only authorises production in trials held under the Code and not by State Courts, there is no legal objection to a Durbar Court which desires the production of an original telegram obtaining it by issuing a commission to a Civil Court in Calcutta under Section 21 of the Indian Extradition Act, 1903 (XV of 1903) The Court in Calcutta will then summon the original telegram from the Telegraph Check Office, and, if there is no objection on the part of the

of the telegraph authorities to its production, will bring it on to the record of evidence taken on commission and forward it to the State Court which issues the Commission.

3. I am to request that if requests for the production of originals of telegrams before the Courts in the Mysore State are made, the above procedure may kindly be observed.

I have the honour to be,

Sir,

Your most obedient servant,

for FIRST ASSISTANT RESIDENT.

BJ

G. R. S. VI—G/32]

SUBJECT:—

Diary No. of letter replied to 3943

Section Ch

File No. 79-20

Serial No. 2

GENERAL AND REVENUE SECRETARIAT,

( )

the 191 .

No. G 7455 63

Date of issue 4/10

Signed by

To

The Registrar, Chief Court

Dt Nagesh Rao

Sir,

I am directed to forward herewith for information copy of letter no. 7763 of 4-9-20 from the Resident in Mysore regarding the procedure to be observed when the original of a telegram is required to be produced before the State Criminal Courts.

I have

the honour

to be

Sir

Your most obedient servant

Secretary